

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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*In re:* Application Pursuant to  
28 U.S.C. § 1782 of

FARHAD AZIMA  
5921 Ward Parkway  
Kansas City, Missouri 64113

Petitioner,

v.

CITIBANK, N.A.  
388 Greenwich Street  
New York, NY, 10013

Respondent.

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No. 22 mc-

**APPLICATION FOR ORDER TO TAKE DISCOVERY PURSUANT TO  
28 U.S.C. § 1782**

Farhad Azima respectfully moves for an order pursuant to 28 U.S.C. § 1782 to allow him to issue a subpoena to Citigroup Inc.’s banking subsidiary Citibank N.A. (“Citibank”) pursuant to Federal Rules of Civil Procedure 26 and 45, directing Citibank to produce documents for use in connection with a case pending in the High Court of Justice of England and Wales (the “UK Court”) styled *Farhad Azima -v- (1) RAKIA (2) David Neil Gerrard (3) Dechert LLP and (4) James Edward Deniston Buchanan* (Claim Number: HC-2016-002798) (the “UK Proceedings”).

As explained in the accompanying memorandum of law and declaration of Dominic Holden, Mr. Azima’s application satisfies all three statutory requirements necessary to obtain discovery under section 1782: “(1) that the person from whom discovery is sought reside (or be found) in the district of the district court to which the application is made, (2) that the discovery be for use in a proceeding before a foreign tribunal, and (3) that the application be made by a

foreign or international tribunal or ‘any interested person.’ *In re Edelman*, 295 F.3d 171, 175-76 (2d Cir. 2002). Specifically, Mr. Azima is an “interested person” as the plaintiff in the UK proceeding; Mr. Azima seeks this discovery for use in a proceeding pending before a foreign tribunal, the UK Court; and Citibank is headquartered in the Southern District of New York.

In addition, the four discretionary factors identified by the United States Supreme Court in *Intel Corp. v. Advanced Micro Devices, Inc.*, 542 U.S. 241, 264-65 (2004), all weigh in favor of granting this Application. Citibank is not a party to the proceedings before the UK Court; the UK Court is not opposed to this form of discovery; Mr. Azima is not concealing an attempt to circumvent the requirements of the UK Court; and the discovery sought is narrowly tailored so as not to be unduly burdensome to Citibank.

Thus, Mr. Azima respectfully requests this Court to enter an order:

1. Granting Mr. Azima’s Application for discovery from Citibank pursuant to 28 U.S.C. § 1782; and
2. Authorizing Mr. Azima to issue a subpoena in substantially the same form as the draft attached.

Respectfully submitted,

Dated: March 9, 2022

/s/ Calvin Lee  
Calvin Lee  
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**CERTIFICATE OF SERVICE**

I hereby certify that on March 9, 2022, I caused a true and correct copy of Farhad Azima's Application for Order to Take Discovery Pursuant to 28 U.S.C. § 1782 and accompanying documents sent via Federal Express overnight delivery to the following addresses:

CITIBANK, N.A.  
388 Greenwich Street  
New York, NY, 10013

/s/ Calvin Lee  
Calvin Lee